

EO-921

**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-1017X and
AB-1018X

May 16, 2008

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:
(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on April 25, 2008 for public review and comment. In the EA, SEA recommended four environmental conditions, and concluded that, as currently proposed, and if the recommended conditions were imposed, abandonment of the Line would not significantly affect the quality of the human environment.

Comments on the EA

SEA received comments from the State Historic Preservation Office (SHPO) and the National Geodetic Survey (see attachments) after the issuance of the EA.

In the SHPO's comment letter (Ref: dated April 15, 2008, received April 28, 2008, ER 08-0539-042-D), the SHPO concluded that the Line is not eligible for listing in the National Register of Historic Places. Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 CFR 800.4(d)(1), and following consultation with the SHPO and the public, SEA has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's historic report, all relevant correspondence, the EA and this Post EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

The National Geodetic Survey (NGS) noted that there are twelve (12) geodetic survey markers on the Line. The NGS requests that the railroad consult with the NGS at least 90 days

prior to beginning salvage activities if those activities could disturb or destroy any of the 12 geodetic survey markers. Accordingly, SEA has recommended a new condition to address this concern.

Conclusions

The EA comment period has ended. Considering the comments received, SEA no longer recommends the Section 106 consultation condition found in the EA; but, recommends a new condition to address NGS concerns. Accordingly, SEA recommends that four conditions should be imposed upon any decision granting abandonment authority. These conditions are:

1. Prior to commencement of any salvage activities, West Shore Railroad Corporation shall consult with the appropriate county conservation districts to ascertain the need for erosion and sedimentation control practices for any planned salvaging activities.
2. Prior to commencement of any salvage activities, West Shore Railroad Corporation shall consult with the U.S. Army Corps of Engineers – Baltimore District (Corps) regarding potential impacts to waters of the United States, including wetlands, and shall comply with the reasonable requirements of the Corps.
3. If abandonment is not consummated by January 17, 2009, West Shore Railroad Corporation shall conduct supplemental consultations with the U.S. Fish Wildlife Service (USFWS) to determine if abandonment would impact any Federally listed or proposed threatened or endangered species. The railroad shall report the results of any supplemental consultations with the USFWS to the Board's Section of Environmental Analysis (SEA) in writing. Should any potential impacts be identified, the railroad shall consult with SEA and the USFWS to develop appropriate mitigation measures prior to initiating any salvaging activities.
4. The West Shore Railroad Corporation shall notify the National Geodetic Survey at least 90 days prior to beginning salvage activities that could disturb or destroy any geodetic survey markers in order to plan for the possible relocation of the geodetic survey markers by NGS.

SEA concludes that, as currently proposed, and if the recommended conditions are imposed, abandonment of the Line would not significantly affect the quality of the human environment.

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Distribution: Ann Newman, Office of Proceedings
SEA Chron
ECT



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Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
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Harrisburg, PA 17120-0093
www.phmc.state.pa.us



April 15, 2008

Richard R. Wilson, Esq.
127 Lexington Avenue, Suite 100
Altoona, PA 16601

TO: ER-PD 1017X-042-D
APP REFERENCE: 1017X-042-D

Re: ER 08-0539-042-D
STB Docket AB 1017X West Shore Railroad Corporation-Abandonment
Exemption-Mifflinburg Branch Union and Northumberland Counties,
Pennsylvania and Docket AB-1018X Union County Industrial Railroad
Company Discontinuance of Service Exemption-Mifflinburg Branch in
Union and Northumberland Counties, Pennsylvania

Dear Mr. Wilson:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation as revised in 1999 and 2004. These regulations require consideration of the project's potential effect upon both historic and archaeological resources.

Thank you for supplying the additional information we requested. It is the opinion of the State Historic Preservation Officer that the following properties are not eligible for listing in the National Register of Historic Places:

Mifflinburg Branch: West Shore Railroad, Montandon Secondary Track
M.P. 0.0 to 11.8, Northumberland and Union Counties, Pennsylvania

If you need further information in this matter please consult Susan Zacher at (717) 783-9920.

Sincerely,

Andrea MacDonald, Chief
Division of Preservation Services

AM/smz



Simon Monroe
<Simon.Monroe@noaa.gov>
05/13/2008 04:03 PM

To: rrwilson@atlanticbbn.net
cc: Surface Transportation Board <sea@stb.dot.gov>, National Society of Professional Surveyors <Dawn.James@acsm.net>, Gilbert Mitchell
bcc:
Subject: NGS Response, STB Docket AB-1018X ; STB Docket AB-1017X

Thank you for sharing your railroad abandonment environmental report for
Lewisburg, Mifflinburg; Northumberland, Union Counties, PENNSYLVANIA.

Approximately 12 geodetic survey marks may be located in the area described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall
consult with the National Geodetic Survey (NGS) at least 90 days prior to
beginning salvage activities that will disturb, or destroy any geodetic station
marks are described on the attached file. Additional advice is provided at
<http://geodesy.noaa.gov/marks/railroads/>

Dist	PID...	H V	Vert_Source	Approx.	Approx..	Stab	Designation
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....	KW1589	. 2	88/ADJUSTED	N405758	W0765307	C...	T 38
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....	KW1411	. 1	88/ADJUSTED	N405755	W0765130	C...	V 38
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....	KW1588	. ?	29/ADJUSTED	N405728	W0765433	B...	BM BRIDGE 2+92 USGS
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....	KW1586	. 2	88/ADJUSTED	N405728	W0765433	B...	S 38
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|....|KW1585|. 2|88/ADJUSTED|N405658|W0765719|C...|R 24 USGS

|....|KW1587|. 2|88/ADJUSTED|N405658|W0765719|C...|R 38

|....|KW1582|. ?|29/ADJUSTED|N405627|W0765915|B...|522 USGS

|....|KW1584|. 2|88/ADJUSTED|N405649|W0765759|D...|540.15 USGS

|....|KW1583|. 2|88/ADJUSTED|N405626|W0765915|B...|Q 38

|....|KW1623|. 2|88/ADJUSTED|N405501|W0770251|C...|MIFFLINBURG

|....|KW1624|. 2|88/ADJUSTED|N405524|W0770214|C...|P 38

|....|KW1622|. 2|88/ADJUSTED|N405504|W0770253|B...|TT 13 K USGS